

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USDC Docket Number : 05-cv-10176

Denise McKeown, et al

v.

Advest, Inc., et al

CLERK'S CERTIFICATE

I, Sarah A. Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents numbered:

1-72

and contained in I-II Volume(s) are the original or electronically filed pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 1/26/2007.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on February 28, 2007.

By:



Receipt of the documents in the above entitled case is hereby acknowledged this date: 2/28/07

R Buschard
Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL, CLOSED, LEAD

United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:05-cv-10176-RGS

McKeown v. Advest, Inc. et al
Assigned to: Judge Richard G. Stearns
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 01/28/2005
Jury Demand: None
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Consolidated Plaintiff

**ACA Financial Guaranty
Corporation**

represented by **Michael Tabb**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Consolidated Plaintiff

**Dryden National Municipals Fund,
Inc.**

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Consolidated Plaintiff

John Moore

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Consolidated Plaintiff

Lois Moore

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Consolidated Plaintiff

**Smith Barney Income Funds/Smith
Barney Municipal High Income Fund**

represented by **Michael Tabb**
(See above for address)
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Consolidated Plaintiff

T. Row Price Tax-Free High Yield

represented by **Michael Tabb**

Fund, Incorporated

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Plaintiff

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Plaintiff

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V.

Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Scott A. Roberts
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Date Filed	#	Docket Text
01/28/2005	①	COMPLAINT against all defendants Filing fee: \$ 150, receipt number 61703, filed by Robert Lutts, Denise McKeown. (Attachments: # 1 # 2) (Flaherty, Elaine) (Entered: 02/01/2005)
01/28/2005	②	Summons Issued as to Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Advest, Inc., Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr. (Flaherty, Elaine) (Entered: 02/01/2005)
01/28/2005	③	If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Cohen. (Flaherty, Elaine) (Entered: 02/01/2005)

03/08/2005	•2	ACKNOWLEDGEMENT OF SERVICE Executed by Advest, Inc.. Advest, Inc. served on 2/24/2005, answer due 3/16/2005. Acknowledgement filed by Advest, Inc.. (Flaherty, Elaine) (Entered: 03/08/2005)
03/11/2005	•3	MOTION to Consolidate case with ca 04-11667 RGS by Robert Lutts, Denise McKeown.(Flaherty, Elaine) (Entered: 03/14/2005)
03/11/2005	•10	SUMMONS Returned Executed Karen Sughrue served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	•11	SUMMONS Returned Executed Garry Crago served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	•12	SUMMONS Returned Executed Jean Childs served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	•13	SUMMONS Returned Executed Paula Edwards Cochran served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	•14	SUMMONS Returned Executed G. Stevens Davis, Jr served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	•15	SUMMONS Returned Executed Julia DeMoss served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	•16	SUMMONS Returned Executed William R. Dill served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	•17	SUMMONS Returned Executed Leslie A. Ferlazzo served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	•18	SUMMONS Returned Executed Joyce Shaffer Fleming served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	•19	SUMMONS Returned Executed Eric W. Hayden served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	•20	SUMMONS Returned Executed Catherine Chapin Kobacker served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	•21	SUMMONS Returned Executed Anne Marcus served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	•22	SUMMONS Returned Executed Celeste Reid served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	•23	SUMMONS Returned Executed Richard J. Sheehan, Jr served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	•24	SUMMONS Returned Executed Gregory E. Thomas served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	•25	SUMMONS Returned Executed Susan K. Turben served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)

03/11/2005	26	SUMMONS Returned Executed Donald W Kiszka served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	27	SUMMONS Returned Executed Joseph Short served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/17/2005)
03/14/2005	24	NOTICE of Appearance by Sarah E. Walters, Jonathan L. Kotlier on behalf of Advest. Inc. (Flaherty, Elaine) (Entered: 03/16/2005)
03/14/2005	25	MOTION to Dismiss by Advest, Inc..(Flaherty, Elaine) (Entered: 03/16/2005)
03/14/2005	26	MEMORANDUM in Support re 5 MOTION to Dismiss filed by Advest, Inc.. (Attachments: # 1)(Flaherty, Elaine) (Entered: 03/16/2005)
03/14/2005	27	MOTION for Leave to File Excess Pages in support of motion to dismiss by Advest, Inc..(Flaherty, Elaine) (Entered: 03/16/2005)
03/14/2005	28	CORPORATE DISCLOSURE STATEMENT by Advest, Inc.. (Flaherty, Elaine) (Entered: 03/16/2005)
03/14/2005	29	APPENDIX/EXHIBIT re 5 MOTION to Dismiss by Advest, Inc.. (Flaherty, Elaine) (Entered: 03/16/2005)
03/25/2005	28	Assented top MOTION for Extension of Time to 5/16/05 to oppose motion to dismiss by Robert Lutts, Denise McKeown.(Flaherty, Elaine) (Entered: 03/29/2005)
03/30/2005	30	Judge Richard G. Stearns : Electronic ORDER entered granting in part and denying in part 28 Motion for Extension of Time "Oppositions due by 4/15/05." (Flaherty, Elaine) (Entered: 03/30/2005)
04/04/2005	29	MOTION for Reconsideration re Order on Motion for Extension of Time by McKeown and Robert Lutts.(Flaherty, Elaine) (Entered: 04/08/2005)
04/08/2005	31	Judge Richard G. Stearns : Electronic ORDER entered denying 29 Motion for Reconsideration (Flaherty, Elaine) (Entered: 04/08/2005)
04/08/2005	30	NOTICE of Appearance by Scott A. Roberts on behalf of Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr (Flaherty, Elaine) (Entered: 04/13/2005)
04/11/2005	32	Judge Richard G. Stearns : Electronic ORDER entered granting 3 Motion to Consolidate Cases, granting 7 Motion for Leave to File Excess Pages (Flaherty, Elaine) (Entered: 04/11/2005)
04/15/2005	32	MOTION for Leave to File Excess Pages in opposition to deft's motion to dismiss by Robert Lutts, Denise McKeown.(Flaherty, Elaine) (Entered: 04/20/2005)
04/19/2005	31	MOTION to Dismiss <i>Complaint Filed by Denise McKeown and Robert</i>

		<i>Lutts</i> by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr.(Roberts, Scott) (Entered: 04/19/2005)
04/20/2005	32	Judge Richard G. Stearns : Electronic ORDER entered granting <u>32</u> Motion for Leave to File Excess Pages (Flaherty, Elaine) (Entered: 04/25/2005)
04/20/2005	33	MEMORANDUM in Opposition re <u>31</u> MOTION to Dismiss <i>Complaint Filed by Denise McKeown and Robert Lutts</i> filed by Denise McKeown. (Attachments: # 1)(Flaherty, Elaine) (Entered: 04/25/2005)
04/20/2005	34	NOTICE of Appearance by Robert E. Sullivan on behalf of Julia DeMoss, William R. Dill, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran (Flaherty, Elaine) (Entered: 04/26/2005)
04/20/2005	35	NOTICE of Appearance by Ann L. Carpenter on behalf of Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr (Flaherty, Elaine) (Entered: 04/26/2005)
04/21/2005	36	Assented to MOTION for Extension of Time to 6/1/05 to respond to motion to dismiss by Robert Lutts, Denise McKeown.(Flaherty, Elaine) (Entered: 04/27/2005)
04/28/2005	36	Judge Richard G. Stearns : Electronic ORDER entered granting <u>36</u> Motion for Extension of Time (Flaherty, Elaine) (Entered: 04/28/2005)
05/02/2005	37	MOTION for Leave to File Excess Pages memo in opposition to motion to dismiss amended complaint by ACA Financial Guaranty Corporation, Dryden National Municipal Fund, Inc., John Moore, Lois Moore, Smith Barney Income Funds/Smith Barney Municipal High Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated.(Flaherty, Elaine) (Entered: 05/04/2005)
05/02/2005	38	MOTION to Strike certain documents in support of Bradford Defendants' Motion to Dismiss by ACA Financial Guaranty Corporation, Dryden National Municipal Fund, Inc., John Moore, Lois Moore, Smith Barney Income Funds/Smith Barney Municipal High Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated. (Attachments: # 1 # 2 # 3 # 4) (Flaherty, Elaine) (Entered: 05/04/2005)
05/05/2005	37	Judge Richard G. Stearns : Electronic ORDER entered granting <u>37</u> Motion for Leave to File Excess Pages (Flaherty, Elaine) (Entered:

		05/05/2005)
05/05/2005	③9	MEMORANDUM in Opposition re 31 MOTION to Dismiss <i>Complaint Filed by Denise McKeown and Robert Lutts.</i> 5 MOTION to Dismiss filed by ACA Financial Guaranty Corporation, Dryden National Municipal Fund, Inc., John Moore, Lois Moore, Smith Barney Income Funds/Smith Barney Municipal High Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated. (Attachments: # 1 # 2 # 3)(Flaherty, Elaine) (Entered: 05/05/2005)
05/31/2005	④0	MOTION to Strike 39 Memorandum in Opposition to Motion. by Robert Lutts, Denise McKeown.(Flaherty, Elaine) (Entered: 06/01/2005)
05/31/2005	④1	MOTION for Leave to File Excess Pages in opposition to defendants motion to dismiss by Robert Lutts, Denise McKeown.(Flaherty, Elaine) (Entered: 06/01/2005)
06/24/2005	④2	NOTICE of Hearing on Motion 5 MOTION to Dismiss, 38 MOTION to Strike, 40 MOTION to Strike 39 Memorandum in Opposition to Motion,, 31 MOTION to Dismiss <i>Complaint Filed by Denise McKeown and Robert Lutts.</i> Motion Hearing set for 10/6/2005 02:30 PM in Courtroom 21 before Judge Richard G. Stearns. (Johnson, Mary) (Entered: 06/24/2005)
06/29/2005	④	Judge Richard G. Stearns : Electronic ORDER entered granting 41 Motion for Leave to File Excess Pages (Flaherty, Elaine) (Entered: 06/29/2005)
07/29/2005	④3	Assented to MOTION for Leave to File <i>Reply to Plaintiffs' Oppositions to Motions to Dismiss and to Enlarge Page Limit</i> by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr.(Carpenter, Ann) (Entered: 07/29/2005)
07/29/2005	④4	REPLY to Response to Motion re 31 MOTION to Dismiss <i>Complaint Filed by Denise McKeown and Robert Lutts In Support of Bradford Defendants' Motions to Dismiss</i> filed by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C)(Carpenter, Ann) (Entered: 07/29/2005)
07/29/2005	④5	RESPONSE to Motion re 38 MOTION to Strike <i>Bradford Defendants' Opposition to Plaintiffs' Motions to Strike in Support of Their Oppositions to Defendants' Motions to Dismiss</i> filed by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K.

		Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr. (Carpenter, Ann) (Entered: 07/29/2005)
07/29/2005	46	MOTION for Leave to File reply memo in support of motions to dismiss, filed by Advest, Inc..(Flaherty, Elaine) (Entered: 08/01/2005)
08/24/2005	47	Judge Richard G. Stearns : Electronic ORDER entered granting 43 Motion for Leave to File, granting 46 Motion for Leave to File (Flaherty, Elaine) (Entered: 08/24/2005)
10/11/2005	48	Electronic Clerk's Notes for proceedings held before Judge Richard G. Stearns : Motion Hearing held on 10/7/2005 re 40 MOTION to Strike, 39 Memorandum in Opposition to Motion, 31 MOTION to Dismiss Complaint, 5 MOTION to Dismiss, 38 MOTION to Strike. Atty. Tabb present for Plaintiffs; Atty. Roberts present for the Bradford Defendants; Atty. Kotlier present for Advest. After argument, the court takes the matters under advisement. Plaintiffs have until October 21, 2005 to submit a response to the Sughrue Affidavit, including a proposal for discovery on this issue should they feel the need. (Court Reporter James Gibbons.) (Tyler, Rebecca) (Entered: 10/11/2005)
10/17/2005	49	MOTION supplement opposition to motion to dismiss with written response in lieu of oral argument by Robert Lutts, Denise McKeown, filed.(Flaherty, Elaine) (Entered: 10/24/2005)
10/20/2005	50	Supplemental Opposition re 31 MOTION to Dismiss <i>Complaint Filed by Denise McKeown and Robert Lutts and Proposal for Discovery on Trustee Compensation</i> filed by T. Row Price Tax-Free High Yield Fund, Incorporated. (Attachments: # 1)(Tabb, Michael) (Entered: 10/20/2005)
10/25/2005	51	Judge Richard G. Stearns : Electronic ORDER entered granting 48 Motion file supplement (Flaherty, Elaine) (Entered: 10/25/2005)
11/02/2005	52	MOTION for Leave to File <i>Reply to Plaintiffs' Supplemental Opposition to Motion to Dismiss Regarding Applicability of Charitable Immunity Doctrine and Plaintiffs' Proposal for Discovery on Trustee Compensation</i> by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr.(Roberts, Scott) (Entered: 11/02/2005)
11/02/2005	53	MOTION for Leave to File <i>Reply to "Written Supplementation in Lieu of Oral Argument Regarding Defendants' Motions to Dismiss" Submitted by Plaintiffs Denise McKeown and Robert Lutts</i> by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr.(Roberts, Scott) (Entered: 11/02/2005)

11/15/2005	52	MEMORANDUM in Support re <u>31</u> MOTION to Dismiss <i>Complaint Filed by Denise McKeown and Robert Lutts and Bradford Defendants' Response to Plaintiffs McKeown and Lutts' Written Supplementation in Lieu of Oral Argument Regarding Defendants' Motion to Dismiss</i> filed by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr. Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr. (Carpenter, Ann) (Entered: 11/15/2005)
11/15/2005	53	MEMORANDUM in Support re <u>31</u> MOTION to Dismiss <i>Complaint Filed by Denise McKeown and Robert Lutts and Bradford Defendants' Response to Plaintiffs' Supplemental Opposition to Bradford Trustee Defendants' Motion to Dismiss and Proposal for Discovery on Trustee Compensation</i> filed by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr. Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr. (Carpenter, Ann) (Entered: 11/15/2005)
11/29/2005	50	Judge Richard G. Stearns : Electronic ORDER entered granting <u>50</u> Motion for Leave to File, granting <u>51</u> Motion for Leave to File (Flaherty, Elaine) (Entered: 11/29/2005)
12/22/2005	54	MOTION to Strike in support of their opposition to defendants motions to dismiss by Smith Barney Income Funds/Smith Barney Municipal High Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated et al.(Originally filed 5/2/05 in ca 04-11667-RGS, to view exhibits to this motion, please see that docket)(Flaherty, Elaine) (Entered: 12/22/2005)
12/29/2005	55	NOTICE issued to Attorney William A. Sheridan regarding mandatory use of ECF in compliance with Local Rule 5.4. Failure to comply may result in the imposition of sanctions. (Johnson, Mary) (Entered: 12/29/2005)
09/30/2006	56	Judge Richard G. Stearns : Memorandum and Order entered.(Giannotti, Diane) (Entered: 10/03/2006)
09/30/2006	31	Judge Richard G. Stearns : Electronic ORDER entered granting <u>31</u> Motion to Dismiss, finding as moot <u>38</u> Motion to Strike, finding as moot <u>40</u> Motion to Strike, finding as moot <u>54</u> Motion to Strike, granting <u>5</u> Motion to Dismiss (Giannotti, Diane) (Entered: 10/03/2006)
09/30/2006	57	Civil Case Terminated. (Giannotti, Diane) (Entered: 10/03/2006)
10/05/2006	57	Judge Richard G. Stearns : ORDER OF DISMISSAL entered. (Johnson, Mary) (Entered: 10/05/2006)
10/20/2006	58	MOTION to Vacate <u>57</u> Order of Dismissal by ACA Financial Guaranty Corporation, Dryden National Municipals Fund, Inc., John Moore, Lois Moore, Smith Barney Income Funds/Smith Barney Municipal High

		Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated. (Tabb, Michael) (Entered: 10/20/2006)
10/20/2006	⑤9	MOTION to Amend <i>Complaint</i> by ACA Financial Guaranty Corporation, Dryden National Municipal Fund, Inc., John Moore, Lois Moore, Smith Barney Income Funds/Smith Barney Municipal High Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated. (Attachments: # 1 Proposed Second Amended Complaint-Pt. 1# 2 Proposed Second Amended Complaint-pt.2)(Tabb, Michael) (Entered: 10/20/2006)
10/20/2006	⑥0	MEMORANDUM in Support re 59 MOTION to Amend <i>Complaint</i> , 58 MOTION to Vacate 57 Order of <i>Dismissal</i> filed by ACA Financial Guaranty Corporation, Dryden National Municipal Fund, Inc., John Moore, Lois Moore, Smith Barney Income Funds/Smith Barney Municipal High Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated. (Tabb, Michael) (Entered: 10/20/2006)
10/20/2006	⑥1	AFFIDAVIT in Support re 58 MOTION to Vacate 57 Order of <i>Dismissal</i> by <i>Thomas Hoffman</i> filed by ACA Financial Guaranty Corporation, Dryden National Municipal Fund, Inc., John Moore, Lois Moore, Smith Barney Income Funds/Smith Barney Municipal High Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated. (Tabb, Michael) (Entered: 10/20/2006)
10/25/2006	⑥	Case Reopened (Flaherty, Elaine) (Entered: 10/25/2006)
10/25/2006	⑥2	Assented to MOTION for Extension of Time to December 8, 2006 to File Response/Reply as to 60 Memorandum in Support of Motion,, 58 MOTION to Vacate 57 Order of <i>Dismissal</i> , 59 MOTION to Amend <i>Complaint</i> , 61 Affidavit in Support of Motion, by all defendants. (Walters, Sarah) (Entered: 10/25/2006)
10/26/2006	⑥	Judge Richard G. Stearns : Electronic ORDER entered granting 62 Motion for Extension of Time to File Response/Reply (Flaherty, Elaine) (Entered: 10/26/2006)
11/30/2006	⑥3	Assented to MOTION to Correct 59 MOTION to Amend <i>Complaint and Proposed Second Amended Complaint</i> by ACA Financial Guaranty Corporation, Dryden National Municipal Fund, Inc., John Moore, Lois Moore, Smith Barney Income Funds/Smith Barney Municipal High Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated. (Attachments: # 1 Exhibit A)(Tabb, Michael) (Entered: 11/30/2006)
12/08/2006	⑥4	Assented to MOTION for Leave to File Excess Pages for <i>Advest, Inc.'s Opposition to Plaintiffs' Motion to Vacate Dismissal and Plaintiffs' Motion for Leave to File Second Amended Complaint</i> by Advest, Inc.. (Walters, Sarah) (Entered: 12/08/2006)
12/08/2006	⑥5	AMENDED DOCUMENT by Advest, Inc.. <i>Amended Corporate Disclosure Statement of Defendant Advest, Inc.</i> (Walters, Sarah) (Entered: 12/08/2006)

12/08/2006	66	MOTION for Leave to File Excess Pages for Bradford Defendants' <i>Opposition to T. Rowe Price Plaintiffs' Motions to Vacate Dismissal and For Leave to File a Second Amended Complaint</i> by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr.(Carpenter, Ann) (Entered: 12/08/2006)
12/08/2006	67	Opposition re 58 MOTION to Vacate 57 Order of Dismissal, 59 MOTION to Amend <i>Complaint</i> filed by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr. (Attachments: # 1 # 2)(Carpenter, Ann) (Entered: 12/08/2006)
12/08/2006	68	Opposition re 58 MOTION to Vacate 57 Order of Dismissal, 59 MOTION to Amend <i>Complaint [Second]</i> filed by Advest, Inc.. (Attachments: # 1 Exhibit 1# 2 Exhibit A to Reply# 3 Exhibit B to Reply# 4 Exhibit C to Reply# 5 Exhibit D to Reply# 6 Exhibit E to Reply)(Walters, Sarah) (Entered: 12/08/2006)
12/13/2006	69	Judge Richard G. Stearns : Electronic ORDER entered granting in part and denying in part 64 Motion for Leave to File Excess Pages "ALLOWED if not in excess of 33 pages." (Flaherty, Elaine) (Entered: 12/13/2006)
12/14/2006	70	Opposition re 58 MOTION to Vacate 57 Order of Dismissal, 59 MOTION to Amend <i>Complaint [Second]</i> filed by Advest, Inc.. (Attachments: # 1 Exhibit 1# 2 Exhibit A to Reply Memorandum# 3 Exhibit B to Reply Memorandum# 4 Exhibit C to Reply Memorandum# 5 Exhibit D to Reply Memorandum# 6 Exhibit E to Reply Memorandum) (Walters, Sarah) (Entered: 12/14/2006)
12/15/2006	71	Judge Richard G. Stearns : Electronic ORDER entered granting 66 Motion for Leave to File Excess Pages "Allowed, not to exceed thirty (30) pages." (Flaherty, Elaine) (Entered: 12/15/2006)
12/19/2006	70	Amended Opposition re 58 MOTION to Vacate 57 Order of Dismissal, 59 MOTION to Amend <i>Complaint</i> filed by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr. (Attachments: # 1 # 2)(Carpenter, Ann) (Entered: 12/19/2006)
12/26/2006	72	Judge Richard G. Stearns : Electronic ORDER entered granting 63 Assented to Motion to Substitute a Corrected Version of the Proposed

		Second Amended Complaint. (Tyler, Rebecca) (Entered: 12/26/2006)
12/29/2006	71	Judge Richard G. Stearns : ORDER entered. MEMORANDUM AND ORDER on Plaintiffs' Motion to Vacate Order of Dismissal and Motion for Leave to File Second Amended Complaint.(Tyler, Rebecca) (Entered: 12/29/2006)
12/29/2006	71	Judge Richard G. Stearns : Electronic ORDER entered denying 58 Motion to Vacate, dismissing 59 Motion to Amend for lack of jurisdiction. (Tyler, Rebecca) (Entered: 12/29/2006)
12/29/2006	71	Civil Case Terminated. (Tyler, Rebecca) (Entered: 12/29/2006)
01/26/2007	72	NOTICE OF APPEAL as to 57 Order, 71 Memorandum & ORDER by ACA Financial Guaranty Corporation, Dryden National Municipal Fund, Inc., John Moore, Lois Moore, Smith Barney Income Funds/Smith Barney Municipal High Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated. NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. (Tabb, Michael) (Entered: 01/26/2007)
02/01/2007	71	Filing fee: \$ 455., receipt number 77952 for 71 Memorandum & ORDER (Flaherty, Elaine) (Entered: 02/01/2007)
02/09/2007	73	TRANSCRIPT ORDER FORM by ACA Financial Guaranty Corporation, Dryden National Municipal Fund, Inc., John Moore, Lois Moore, Smith Barney Income Funds/Smith Barney Municipal High Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated for proceedings held on 10/7/2005 before Judge Stearns, re 72 Notice of Appeal., Transcript due by 2/9/2007. (Tabb, Michael) (Entered: 02/09/2007)